

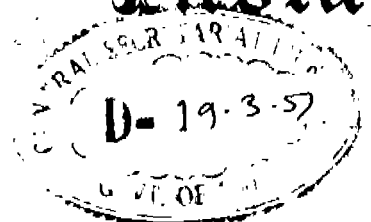
The Gazette



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NEW DELHI, SATURDAY, MARCH 16, 1957

NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 9th March, 1957.

Issue No.	No. and date	Issued by	Subject
25	No. 22-ITC(PN)/57, dated the 5th March 1957.	Ministry of Commerce and Consumer Industries.	Review of Pakistan O.G.L.—Policy in respect of items removed from O.G.L.
26	No. 709-CI/57, dated the 6th March 1957.	Lok Sabha.	Directions by the Speaker under the Rules of Procedure of Lok Sabha.
27	No. 23-ITC(PN)/57, dated the 7th March 1957.	Ministry of Commerce and Consumer Industries.	Scheme for licensing Heavy Electrical Plants—submission of application—procedure regarding.
	No. 24-ITC(PN)/57, dated the 7th March 1957.	Ditto.	Import of machinery and equipment designed on the metric system.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on Indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these *Gazettes*.

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PART I—Section 1

Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court

MINISTRY OF HOME AFFAIRS*New Delhi-2, the 8th March 1957*

No. 71/19(2)/57-ANL.—In exercise of the powers conferred by Section 122 of the States Reorganisation Act, 1956 (37 of 1956), and of all other powers enabling it in this behalf, the Central Government hereby directs that the powers conferred on the officers specified in column (1) of the table below by any provision of the Laccadive Islands and Minicoy Regulation, 1912 (1 of 1912), shall, as from the 1st November, 1956, be exercisable by the officers specified in the corresponding entry in column (2) of the said table.

TABLE

Officer specified in the Regulation (1)	Corresponding officer (2)
Collector	Administrator of the Laccadive, Minicoy and Amindivi Islands.
Inspecting officer; Any of the Collector's Assistants.	Secretary to the Administrator.

No. 71/19(2)/57-ANL.—In exercise of the powers conferred by Section 122 of the States Reorganisation Act, 1956 (37 of 1956), the Central Government hereby directs that—

- (i) appeals against the decision of the Deputy Tahsildar, Amenl, on the civil side which immediately before the 1st November, 1956, could be preferred to the Inspecting Officer of the Amindivi Islands or the Personal Assistant to the Collector of South Kanara, shall as from the 1st November, 1956, lie to the Secretary to the Administrator of the Laccadive, Minicoy and Amindivi Islands;
- (ii) second appeals shall lie against the decisions of the Secretary aforesaid to the Administrator of the said Islands; and
- (iii) appeals against the decisions of the Deputy Tahsildar, Amenl, on the criminal side which, immediately before the 1st November, 1956, could be preferred to the District Magistrate (Judicial) Mangalore, shall, as from the 1st November, 1956, lie to the Administrator of the said Islands.

By Order etc.,

B. N. MAHESHWARI, Dy. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

RESOLUTION*New Delhi, the 26th February 1957*

No. F.8(14)-NS/56.—It is notified for general information that the following persons have also been nominated as Members of the Central Advisory Board announced in the Government of India, Ministry of Finance, Resolution of even number, dated the 29th October, 1956 published in the Gazette of India, Part I, Section 1, dated the 3rd November, 1956.

1. Smt. Kutty Vellodi, 11, Race Course Road, New Delhi.
2. Smt. Mary Clubwala-Jadhev, "Dhilroy", Nungambakkam, High Road, Madras.

K. C. DAS, Under Secy.

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

New Delhi-1, the 6th March 1957

No. 50-RSA(14)/52.—It is hereby notified for general information that the Council of the Institute of Chartered Accountants of India has removed from the Restricted Auditors' Certificate (Part B States) Register with effect from the 9th December, 1956, the name of Miss K. Lily John of Kodagi Building,

Gundopanth Street, Bangalore-2, the holder of Restricted State Auditor's Certificate No. 14 for State of Mysore, on the basis of information received that she died on the 19th December, 1956.

E. V. SRINIVASAN, Secy.

CHARTERED ACCOUNTANTS*New Delhi-1, the 4th March 1957*

No. 1-CA(2)/57.—In pursuance of clause (ii) of Regulation 62-H of the Chartered Accountants Regulations, 1949, the Council of the Institute of Chartered Accountants of India is pleased to make the following amendments to the Chartered Accountants Regional Council Bye-laws, namely:—

I. For the existing Bye-law 25B, the following shall be substituted, namely:—

"25B. Each of the committees shall consist of the Chairman or the Vice-Chairman of the Regional Council *ex-officio* and such other members of the Regional Council as may be elected by that Council:

Provided that there shall be at least three members including the Chairman or the Vice-Chairman in each of the committees:

Provided further that in the case of any committee constituted at the direction of the Central Council, out of the members to be elected, one shall be nominated by the Central Council from amongst the members of the Central Council from the region concerned."

II. For the existing Bye-law 25C, the following shall be substituted, namely:—

"25C. The Regional Council shall elect any member of the committee to be the Chairman of that committee:

Provided that in the case of any committee to be constituted at the direction of the Central Council, unless otherwise nominated by the Central Council, the Chairman or the Vice-Chairman of the Regional Council, as the case may be, shall be the Chairman of that committee."

S. PRAKASH CHOPRA, President.

MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES

New Delhi, the 5th March 1957

No. 4(6)-Tex.(C)/57.—In the Government of India, Ministry of Commerce and Consumer Industries Resolution No. 4(6)-Tex(C)/57, dated the 21st February, 1957, the following amendment shall be made:—

After "Item No. 25" the following item shall be inserted namely:—

"25-A. Shri M. M. Patnaik, Honorary Khadi Adviser, Government of Orissa, Bhubaneswar."

M. S. SADASIVAN, Under Secy.

MINISTRY OF HEAVY INDUSTRIES*New Delhi, the 7th March 1957*

No. HC-21(1)/55.—By a Notification No. CI-21(3)/56, dated the 17th February, 1956, the Government of India announced its decision to grant subsidy from the 3rd December, 1955, for one year in the first instance, of one anna per gallon of detoluated Benzol sold as Motor Benzol (including Benzene sold as such) to those manufacturers who had installed or made arrangements to instal scrubbing equipment to produce all the Crude Benzol possible from their Coke ovens and also the requisite plant for the further distillation of the entire Crude Benzol to Benzene, Toluene, Xylene etc.

The Government of India have decided to extend the period for the grant of subsidy by another year, i.e., upto 2nd December, 1957.

M. C. MISRA, Under Secy.

MINISTRY OF AGRICULTURE*New Delhi, the 8th March 1957*

No. F. 7-39/56-LS.—In partial modification of Resolution No. F.9-40/51-L, dated the 30th January, 1952, of the Government of India in the late Ministry of Food and Agriculture, settling up the Central Council of Gosamvardhana, the Government of India are pleased to make the following further amendments therein, namely:—

(1) For clause (5) of para. 2 of the Resolution, substitute the following clause:—

“(5) Nine Heads of Departments dealing with Animal Husbandry in the States and Union Territories nominated by the Central Government by a Notification in the Government of India Gazette”.

(2) For the Schedule at the end of the Resolution, substitute the following Schedule:—

“SCHEDULE**Group I**

1. Assam.
2. West Bengal.
3. Bihar.

Group II

1. Bombay.
2. Mysore.

Group III

1. Madhya Pradesh.
2. Orissa.

Group IV

1. Andhra Pradesh.
2. Madras.
3. Kerala.

Group V

1. Uttar Pradesh.
2. Delhi.

Group VI”

1. Rajasthan.
2. Punjab.

R. VENGU, Under Secy.

**MINISTRY OF RAILWAYS
(Railway Board)***New Delhi, the 7th March 1957*

No. F.(X)II-56/TX-125.—In exercise of the powers conferred by clause (3) of section 135 of the Indian Railways Act, 1890 (9 of 1890), the Central Government hereby makes the following amendment in the notification of the Government of India in the Railway Department (Railway Board) No. 221 dated the 24th August, 1911, specifying the taxes payable in aid of the funds of certain local authorities by the Administration of the ex. Bombay Baroda and Central India (including Rajputana-Malwa) Railway (now Western Railway namely:—

In the Schedule annexed to the said notification, the entries relating to the Bulsar Municipality shall be omitted.

D. C. BAIJAL, Secy.

**MINISTRY OF NATURAL RESOURCE AND
SCIENTIFIC RESEARCH***New Delhi, the 9th March 1957*

No. 20(2)/56-MIV.—In this Ministry Resolution No. 20(2)/56-MIV, dated the 7th February, 1957, published in Part I Section 1 of the Gazette of India dated the 16th February, 1957, regarding constitution of a Committee to investigate the problems relating to the beneficiation of low grade ores the following further amendments shall be made, namely:—

Under the heading “Representatives of the State Governments” the following shall be inserted, namely:—

“3. Director of Geology and Mining, Madhya Pradesh.”

G. C. JERATH, Under Secy.

MINISTRY OF LABOUR*New Delhi, the 6th March 1957*

No. LR-10(39)/56.—The following decision of Shri F. Jeejeebhoy, Chairman, Labour Appellate Tribunal, in respect of a matter referred to him under section 6 of the Industrial Disputes (Banking Companies) Decision Act, 1955, by the notifications of the Government of India in the Ministry of Labour No. S.R.O. 2707 dated the 9th November, 1956 and S.R.O. No. 2873, dated the 24th November, 1956, is hereby published for general information.

BEFORE SHRI F. JEEJEEBHAY, CHAIRMAN,
LABOUR APPELLATE TRIBUNAL OF INDIA
BOMBAY

REFERENCE No. B-8 of 1956

In the matter of the Industrial Disputes (Banking Companies) Decision Act, 1955 (Act 41 of 1955).

and

1. The Banks referred to in the Notification of the Government of India in the Ministry of Labour S.R.O. No. 2707 of 10th November, 1956, and

2. The employees of the said Banks concerned in the said Reference.

In the matter of the interpretation under section 6 of the Industrial Disputes (Banking Companies) Decision Act, 1955.

Dated the 8th Day of February, 1957

PRESENT

Shri F. Jeejeebhoy, Chairman

APPEARANCES:

For the Banks—represented by Indian Banks' Association. Shri H.M. Seervai, Advocate (O.S.) instructed by Dr. S.G. Panandikar, Secretary Indian Banks' Association.

2. II Exchange Banks—represented by the Bombay Exchange Banks' Association.
3. State Bank of India.
4. Allahabad Bank Ltd.

Shri H.M. Seervai, Advocate (O.S.) instructed by M/S Crawford Bayley & Co. Solicitors, Bombay.

For the Union—

1. All India Bank Employees' Co-ordination Committee. Shri N.V. Phadke, Counsel with Sarva Shri V.N. Sekhri, Kanpur, P.N. Sambhre, Nagpur, M.B. Gotankar-Gwalior, M.S. Nagar, Delhi, N.S. Khare, Lucknow.
2. U.P. Bank Employees' Federation. Shri C. L. Dudhia, Counsel with Sarva Shri A.N. Shukla, Kanpur, R.K. Nigam Lucknow, B.L. Gupta, Agra
3. All India Central Bank Employees' Association. Shri N.V. Phadke, Counsel with Sarva Shri Shiva Kumar Sharma, General Secretary, B.N. Kapur, Delhi, K.L. Tandon, Agra, Y.D. Kulkarni, Bombay, M. P. Parikh, Baroda
4. All India State Bank of India Staff Federation. Shri N.V. Phadke, Counsel with Sarva Shri U.S. Chatterjee, Calcutta, N.N. Gude, Bombay, C. Coutto, Bombay.
5. Indian Overseas Bank Employees' Union, Madras. Shri N.V. Phadke, Counsel with Shri G. Nagiah, Madras.
6. Ahmedabad Bank Employees' Association. Shri C. L. Dudhia, Counsel with Sarva Shri K.V. Parikh, C. D. Rawal.
7. Surat Bank Employees' Union, Surat. Shri C.L. Dudhia, Counsel with Sarva Shri H.G. Desai, Central Bank of India, Shri A. R. Choksy, United Commercial Bank Ltd., Surat
8. Vadodra Rajya Bank Norkar Sangh, Baroda. Shri C.L. Dudhia, Counsel with Sarva Shri V.R. Shah, K.A. Pandya.

9. All India Punjab National Bank Employees' Association. Shri C.L. Dudhia, Counsel with Sarva—Shri C.L. Bhargwa, Delhi, O.P. Nigam, Lucknow.
10. All India Bank Employees' Association. Shri Pravat Kar (LLOYDS Bank, Cal.) Shri A.C. Kakkar (V.C.O.) Shri Sushil Ghose (Bank of India) Shri K.K. Mundal.
11. All India Hindustan Commercial Bank Employees' Association. Shri Sohan Lal Varma, Hindustan Commercial Bank, Bombay.

DECISION

This is a reference on a point of interpretation under section 6 of the Industrial Disputes (Banking Companies) Decision Act, 1955. The question referred is:—

"Whether the minimum and maximum dearness allowance laid down in paragraph 151 of award of the All India Industrial Tribunal (Bank Disputes) constituted by the Government of India in the Ministry of Labour No. S.R.O. 35, dated 3rd January, 1952, modified as aforesaid by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955, can be reduced or increased when the halfyearly all India cost of living index number falls or rises respectively by more than 10 points as compared to 144 (1944=100)."

2. At paragraph 151 of the Sastri award the clerical staff of all the Banks was given dearness allowance at the rate of 33½% of pay subject to minima of Rs. 35, 30 and 25 for the three areas and maxima of Rs. 70, 60 and 40 respectively. For the subordinate staff certain flat rates of dearness allowance were given depending upon the three areas. For instance for class A banks the flat rate was Rs. 35/- in area 1, Rs. 30/- in area 2, and Rs. 25/- in area 3.

3. The Sastri Tribunal made provision for automatic adjustment of the rate of dearness allowance according to certain variations in the cost of living index. It decided to link future dearness allowance with the rise or fall in the cost of living based on the all India average Working Class Cost of Living Index as published in the Indian Labour Gazette of December 1952 (base 1944=100), and the operative part of paragraph 152 states:

"Taking the average index figure for 1951 which is 144 we think the future rate of dearness allowance i.e. the rate for future half years commencing from July 1953 to December 1953 onwards may be linked to the rise or fall in this figure. We direct accordingly that if the average figure for each half year i.e. from January to June and from July to December of each calendar year should rise or fall by more than 10 points over 144 the dearness allowance for the succeeding half year should rise or fall by 7½ per cent. of the basic pay. The figure officially published in the Indian Labour Gazette will be taken as the correct index for calculating dearness allowance."

4. On the subject of dearness allowance the Labour Appellate Tribunal, in appeals from the Sastri award, at paragraph 105 decided to retain the general framework of the scheme of dearness allowance as given by the Sastri Tribunal, as also their scheme to provide for future rises and falls in the cost of living. The Labour Appellate Tribunal however made certain amendments in the dearness allowance of clerks. For A, B, and C class banks it gave as minima Rs. 55, 45 and 40 respectively for the three areas. It imposed no ceiling but gave dearness allowance by means of graduated slabs. For D class banks it gave 33½ per cent of basic as dearness allowance with minima of Rs. 35, 30 and 25 and maxima of Rs. 70, 60 and 40 respectively. As regards subordinate staff the Labour Appellate Tribunal decided to increase the fixed amounts as given to A, B and C class banks in areas 1, 2 and 3; but as regards the subordinate staff of class D banks it provided that the dearness allowance given by the Sastri Tribunal should remain in operation for five years from 1st April 1954, after which period the scales of C class banks would be applicable to them.

5. The Government by its order of 24th August, 1954 modified the decision of the Labour Appellate Tribunal. It decided that the wage scales and dearness allowance of the subordinate staff as fixed by the Sastri Award should be retained. As regards

the clerical staff it gave for the banks of all 4 classes the following dearness allowance in substitution of what the Labour Appellate Tribunal had given:—

Area	Rate	Minimum	Maximum
I . . .	33½%	Rs. 35/-	Rs. 70/-
II . . .	33½%	Rs. 30/-	Rs. 60/-
III & IV .	33½%	Rs. 25/-	Rs. 40/-

6. By the enactment the Labour Appellate Tribunal dearness allowance was resorted subject to the modifications recommended by the Bank Award Commission.

7. In its recommendations at Chapter XI the Bank Award Commission recommended that for adjustment of dearness allowance for variation in cost of living index for clerical and subordinate staff respectively, in lieu of the provision in the Labour Appellate Tribunal decision (Paragraph 105, the following formulae should be adopted:—

Clerical staff:—If the average all-India cost of living index for the half year ending June or December of any year should rise or fall by more than 10 points as compared to 144 (1944=100), the dearness allowance for the succeeding half year will be raised or lowered by one-seventh of dearness allowance admissible at the index level of 144 for each variation of 10 points.

Subordinate Staff:—If the average all-India cost of living index for the half year ending June or December of any year should rise or fall by more than 10 points as compared to 144 (1944=100), the dearness allowance for the succeeding half year will be raised or lowered by one-tenth of the dearness allowance admissible at the index level of 144 for each variation of 10 points.

8. By section 3 of the Industrial Disputes (Banking Companies) Decision Act it has been enacted that the appellate decision shall have effect as if the modifications recommended in Chapter XI of the Report of the Bank Award Commission had actually been made therein, and the appellate decision as so modified shall be the decision of the Appellate Tribunal, and the award shall have effect accordingly.

9. This Reference is not concerned with the subordinate staff as the dearness allowance there given is at a flat rate. The Reference does concern the dearness allowance given to clerks by paragraph 109 of the Labour Appellate Tribunal's decision which has been confirmed as a result of the Bank's Commission's Report subject however to certain Recommendations. As already stated only certain categories are subject to a maximum.

10. On behalf of labour it has been contended that the recommendation 1(e) of the Bank Award Commission is erroneous, invalid and incapable of implementation. It has been urged that the Sastri Tribunal spoke only of "rise or fall by more than 10 points over 144", and therefore there was no provision whereby dearness allowance could be reduced if there was a fall below 144. There is no substance in this contention, because at paragraph 152 the intention of the Sastri Tribunal is not in doubt it says: "Taking the average index figure of 1951 which is 144 we think the future rate of dearness allowance i.e. the rate for future half years commencing from July 1953 to December 1953 onwards may be linked to the rise or fall in this figure." (The underlining is mine). It seems clear from the intention expressed in paragraph 152 that a flexible scheme of dearness allowance was being given to provide for rises as well as falls of 10 points each above or below the index of 144. A flexible dearness allowance must normally provide for rises as well as falls in relation to a particular figure; and there is nothing in the award or the Appellate decision or anywhere else to indicate that there was an intention to stop the dearness allowance from going below what had been given in the event of a fall in the index.

11. It is next contended that the Bank Award Commission has stated in paragraph 1(e) of the recommendations that the dearness allowance for the succeeding half year was to be raised or lowered by 1/7th of dearness allowance admissible at the index level of 144 for each variation of 10 points. It is argued that neither the Sastri Tribunal nor the Labour Appellate Tribunal nor the Bank Award

Commission had ascertained the quantum of dearness allowance admissible at the index level of 144, and therefore the recommendation of the Bank Award Commission had no meaning and could not be implemented. This contention has nothing to support it. The scheme to provide flexibility in the matter of dearness allowance required as a basis a particular cost of living index to which the dearness allowance as given by the award could first be pegged. It is by no means inevitable, or even necessary, that the dearness allowance which is being awarded should be pegged to the cost of living index of that particular date, because a variety of factors come into play in the fixing of dearness allowance.

12. The two subjects, viz. (a) dearness allowance; and (b) the machinery to give it flexibility for the future, must be regarded as two separate items, not to be confused. For instance, although the Sastri Tribunal gave its award in March, 1953, it adopted at paragraph 152 the cost of living index 144, which was the average index figure for 1951, as the peg in relation to which the dearness allowance of the future would rise or fall. That was quite in order, because a scheme of flexible dearness allowance demands a point to which future rises and falls are pegged and that point is fixed after a careful consideration not only of the prevailing index at the date of the award but also of the movements of the index in the recent past; and how recent it should be is also a matter to be taken into account. The Sastri Tribunal selected 144 (1944—100) as the pivot from which rises or falls of dearness allowance were to be calculated; and the Labour Appellate Tribunal did not interfere with it.

13. At paragraph 105 of its report the Bank Award Commission felt that whatever alternate formula may be devised, it should have the merit of interfering as little as possible with the Labour Appellate Tribunal's wage structure and of ensuring results not significantly different from those achieved by the Labour Appellate Tribunal formula. What therefore the Bank Award Commission meant by the expression "dearness allowance admissible at the index level of 144" was in fact dearness allowance which had been given. There is nothing in the report to indicate that the dearness allowance for which 144 was taken as a level was something other than the dearness allowance as given by the Sastri Tribunal and the Labour Appellate Tribunal. Shri Phadke based an argument on 1(b) of the Report of the Commission, and urged that 1(b) and 1(e) of the recommendations must be read together. 1(b) says that the provision for the creation of an additional area 4 as per clause 3(a) of the Government modified decision together with the wage structure and dearness allowance prescribed for that area should be confirmed; and clause 1(e) of course has reference to the formula for flexibility in dearness allowance. Thus these two provisions deal with two different aspects of the problem. 1(b) prescribed the amount of the dearness allowance, and 1(e) provides for future adjustment according to the ups and downs of the index. Therefore even if 1(b) and 1(e) are read together, I am unable to observe any connection between them which would impugn the validity of 1(e) or make it more difficult of implementation.

14. To my mind the Bank Award Commission, when it spoke of 'dearness allowance admissible at the index level of 144' referred to nothing more or less than the dearness allowance as given by the award and by the Labour Appellate Tribunal, modified by the Government, and which was pegged to index 144 for future rises and falls. Nobody had in mind any other dearness allowance, already calculated or to be calculated. I hold that the above objections as to the validity of recommendation 1(e) of the Bank Award Commission fail; that recommendation is valid and capable of implementation.

15. We next approach the main question which is involved in the Reference. The Banks contend that if the dearness allowance rises or falls in terms of paragraph 1(e) of the Bank Award's recommendations, there should be the same fractional reduction in the minima and maxima wherever minima and maxima are given. Labour however contends that there should be a proportionate rise in the minima and maxima when the dearness allowance is increased according to clause 1(e), but that in the event of the dearness allowance falling below what has been given, neither the minima nor the maxima should be reduced. Labour's contention is thus opposed to the general principle of flexible dearness allowance which is intended to provide for an automatic advance or reduction in dearness allowance consequent upon a rise or fall in the cost of living index.

16. The three items—minimum—dearness allowance as given—maximum—must be taken as a co-ordinated scheme. In the absence of any direction to the contrary, when the dearness allowance falls according to the formula in clause 1(e) it would reasonably follow that the other two components of the scheme should also recede. If it were not so, then a minimum dearness allowance may continue to exist even when the necessity for dearness allowance has been greatly reduced.

17. It is important to appreciate the object of fixing a minimum. It means that at the time when the dearness allowance was fixed the Tribunal felt that nobody should get less than a particular minimum by way of dearness allowance. If then the cost of living drops, and the dearness allowance is consequently reduced, it would be illogical to hold that the minimum should not be touched; and the same basic considerations would apply to the maxima. The contention of labour that there should be no reduction in the minima or maxima when the dearness allowance falls according to the formula, but that the minima and maxima should increase when there is a rise in dearness allowance, is a contention which it is not possible to accept. The Banks are quite prepared to increase or decrease the minimum and the maximum should the dearness allowance rise or fall respectively, and that is in keeping with their concept that the three items of minimum, dearness allowance as given by the decisions, and the maximum, form one compact scheme.

18. I hold as a matter of interpretation that the minimum and maximum dearness allowance laid down in paragraph 151 of the award of the All India Industrial Tribunal (Bank Disputes) modified as aforesaid by the decision of the Labour Appellate Tribunal in the manner referred to in Section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955, should be reduced or increased when the half-yearly all-India average working class cost of living index number falls or rises respectively by more than 10 points as compared to 144 (1944—100); the rises and falls of the minimum and the maximum will be in the same fractional proportions as the rise or fall in dearness allowance as provided in clause 1(e) of the recommendations of the Bank Award Commission.

19. The Banks have not asked for costs, and no costs are available to labour; and the jurisdiction of a Tribunal as to costs has now been circumscribed. The Banks, however, have offered, subject to acceptance as a whole, the following scheme for remunerating the representatives of labour who appeared:

- (1) Shri Kar is to be allowed costs of three representatives.
- (2) One representative for the State Bank for whom Shri Phadke appeared.
- (3) Two representatives for the rest including Shri Dubhla's clients.

20. Shri Seervai says that if I consider this reasonable then there is no objection to an order being made on the same terms as were given by my learned colleague Shri Reuben in Ref. No. B-3 of 1956. The Exchange Banks Association and the Indian Banks Association would pay the amount. Those employees who came to the hearing would be treated as on duty until they return, which will be by train the next day. The Bombay representatives who appeared will be treated as on duty. The all-India Central Bank's Federation does not want any costs.

21. I consider Shri Seervai's offer of costs reasonable, especially as questions of law alone were involved, and costs are ordered accordingly.

F. JEEJEEBHAY, Chairman.

A. L. HANDA, Under Secy.

(Directorate General of Resettlement & Employment)

New Delhi, the 16th March 1957

No. TP-41/57.—In paragraph 5(c) of the Scheme for the setting up of a National Council for Training in Vocational Trades appended to Resolution No. TR/EP-24/56, dated the 21st August, 1956, after the entry "Irrigation and Power" the entry "Community Development" shall be inserted.

S. RANGASWAMI, Under Secy

